

# EXHIBIT B

Sanchez, et al v. Hartford Insurance

8/3/2012

Pinkes, Andrew J.

1	IN THE DISTRICT COURT
2	HARRIS COUNTY, TEXAS
3	
4	
5	JOSE LUIS SANCHEZ, ET AL., )
6	Plaintiff, )
7	VS ) Case No.
8	) 2010-15489
9	HARTFORD INSURANCE COMPANY OF )
10	THE MIDWEST, THE HARTFORD )
11	FINANCIAL SERVICES GROUP, INC., )
12	WARREN TODD HOFFNER, AND )
13	HOEFFNER & BILEK, L.L.P., )
14	Defendants. )
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16	
17	
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19	
20	
21	DEPOSITION OF: Andrew Pinkes
22	DATE: August 3, 2012
23	HELD AT: Shipman & Goodwin
24	One Constitution Plaza
25	Hartford, Connecticut
26	
27	
28	
29	
30	
31	Reporter: ROBIN L. BALLETO, RPR, LSR #230
32	BRANDON SMITH REPORTING & VIDEO
33	249 Pearl Street
34	Hartford, Connecticut 06103
35	(860) 549-1850
36	
37	Six Landmark Square, 4th Floor
38	Stamford, Connecticut 06901
39	(203) 316-8591
40	(800) 852-4589

(860) 549-1850

Brandon Smith Reporting & Video  
production@brandonreporting.com

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1	bottom, that's my handwriting, formerly Government's	01:21PM
2	Exhibit 537, and then it's marked Exhibit 1230, and now	01:21PM
3	it's marked PTX 81. Do you see that?	01:21PM
4	A I see that.	01:21PM
5	Q Are you aware that this exhibit, even though	01:21PM
6	it's marked Government's Exhibit 537, was one of the	01:21PM
7	first exhibits used by the government to prosecute Todd	01:21PM
8	Hoeffner, my client, for bribery and kickback	01:21PM
9	allegations?	01:21PM
1 0	A I was not aware of that.	01:21PM
1 1	Q You never reviewed the transcript of the	01:21PM
1 2	criminal trial to determine how and when the government	01:21PM
1 3	tried to use this against him?	01:21PM
1 4	A I never reviewed any transcripts of the	01:21PM
1 5	criminal trial.	01:21PM
1 6	Q You didn't provide this to the government	01:21PM
1 7	before they returned the indictment against my client,	01:21PM
1 8	Mr. Hoeffner?	01:21PM
1 9	A I did not provide this to the government.	01:21PM
2 0	Q The e-mail from John Kinney to Fred Zwick and	01:21PM
2 1	Michael Nendick has an attachment, which I represent to	01:22PM
2 2	you is attached to the second page. Do you see that?	01:22PM
2 3	A I see that.	01:22PM
2 4	Q The e-mail is dated Friday, April 23, 2004 at	01:22PM
2 5	3:15 p.m., Do you see that?	01:22PM

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Pinkes, Andrew J.

	1	A	I do.	01:22PM
	2	Q	And the interoffice memo attached to the	01:22PM
	3		e-mail, attachment, is dated April 23, 2004.	01:22PM
	4	A	I see that.	01:22PM
	5	Q	This is what's been commonly referred to as	01:22PM
	6		the Pinkes memo. Have you ever heard that term, Pinkes	01:22PM
	7		memo?	01:22PM
	8	A	I've heard that term.	01:22PM
	9	Q	I'm sorry for you that it's referred to as	01:22PM
1	0		the Pinkes memo.	01:22PM
1	1	A	It's not the Pinkes memo. It's a draft memo	01:22PM
1	2		that was prepared by John Kinney that I didn't prepare.	01:22PM
1	3	Q	I understand. What I'm telling you, during	01:22PM
1	4		the criminal trial, and actually during this litigation	01:22PM
1	5		it's been repeatedly referred to as the Pinkes memo,	01:22PM
1	6		and I personally apologize to you that it's got that	01:23PM
1	7		moniker, okay?	01:23PM
1	8	A	I appreciate that.	01:23PM
1	9	Q	Now, it is, however, according to the	01:23PM
2	0		interoffice memo, from Andrew Pinkes, senior vice	01:23PM
2	1		president, correct? According to the memo.	01:23PM
2	2	A	There's a format on the memo, but this memo	01:23PM
2	3		was a draft memo.	01:23PM
2	4	Q	We'll get to kind of what happened. I'm just	01:23PM
2	5		drawing your attention to the exhibit itself.	01:23PM